THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.2866 OF 2006

Between:

A.Venkatasubbaiah son of Late. Venkaiah

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….Petitioner

vs.

The Superintendent of Police,Nellore and three others.

….Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.2866 OF 2006

ORAL ORDER

The writ petition is filed alleging that the respondents 1 & 2 are forcing the petitioner to pay rents to the 3rd respondent. The petitioner is a tenant of the 4th respondent-Sri Valli Devasena Sametha Subbrahmanyeswara Swamy Temple,

Nellore. The 3rd respondent is an Archaka of the said temple. The allegation is that as the petitioner defaulted in payment of the rents to the 3rd respondent in respect of the properties of the temple, the 3rd respondent complained to the 1st and 2nd respondents who are interfering with purely civil disputes, calling the petitioner to the police station and harassing him.

The 2nd respondent has filed a counter-affidavit clearly and categorically denying the allegations. Counter states that the 3rd respondent had lodged a petition on 30-11-2005 before the 1st respondent alleging that the petitioner though a tenant of the temple is not paying the rents regularly and when the 3rd respondent asked him for rents the petitioner beat him up and again threatened him with dire consequences and requesting action. This complaint was forwarded by the 1st respondent to the answering respondent and the answering respondent on enquiries found that it was merely a civil dispute between the petitioner and the 3rd respondent and therefore no action was taken nor the petitioner called to the police station nor coerced to pay rents to the 3rd respondent. Each and every allegation in the writ petition is denied. There is no rejoinder filed to the counter-affidavit nor are the assertions therein rebutted.

In the circumstances no further proceedings are warranted. The writ petition is accordingly dismissed. In the circumstances there shall be no order as to costs.

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GODA RAGHURAM,J

9th MARCH 2006

*TSNR